

Filed 8/16/05

CERTIFIED FOR PUBLICATION

THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION THREE

THE ROMAN CATHOLIC
ARCHBISHOP OF LOS ANGELES,

Petitioner,

v.

SUPERIOR COURT OF
LOS ANGELES COUNTY,

Respondent;

THE PEOPLE,

Real Party in Interest.

DOES 1 and 2,

Petitioners,

v.

SUPERIOR COURT OF
LOS ANGELES COUNTY,

Respondent;

THE PEOPLE,

Real Party in Interest.

B177852
(Consolidated w/B180696)

(Los Angeles County
Super. Ct. No. BH001928)

ORDER MODIFYING OPINION
AND DENYING REHEARING
[NO CHANGE IN JUDGMENT]

THE COURT:

It is ordered that the opinion filed herein on July 25, 2005, be modified as follows:

1. On page 34, in the first full paragraph, at line 5, replace “(*Id.* at pp. 880-881.)” with “(*Id.* at pp. 880-881; see Evid. Code, § 1010.)¹⁶” and add as footnote 16 the following footnote, which will require renumbering of subsequent footnotes:

¹⁶ Evidence Code section 1010 defines persons who are psychotherapists for purposes of the psychotherapist-patient privilege.

2. On page 35, the first paragraph, at line 3, after the words “therapy session” add the following words in brackets “[conducted by a counselor at a state hospital]” so that the latter part of the sentence reads:

therapy session [conducted by a counselor at a state hospital] come within the psychotherapist-patient privilege.” (*Id.* at p. 527.)

3. On page 39, the sixth line of the last paragraph, change the word “medical” to “psychological” so the phrase reads “any significant psychological information.”

4. On page 40, the fifth line of the second paragraph, change the word “medical” to “psychological” so the phrase reads “any significant psychological information.”

5. On page 41, the last word on line one, change the word “medical” to “psychological” so the phrase reads “any significant psychological information.”

6. On page 41, delete footnote 17.

7. On page 47, in the paragraph following the section 8 heading, at line 4, delete beginning with the words “These issues” through the end of the paragraph and replace with the following: “These issues were decided in *M. B. v. Superior Court, supra*, 103 Cal.App.4th 1384, and it is unnecessary to revisit them here.”

[There is no change in the judgment.]

The Archdiocese’s and Priests’ petitions for rehearing are denied.